

ETHICS AND CAMPAIGN DISCLOSURE BOARD, IOWA[351]

Adopted and Filed

Pursuant to the authority of Iowa Code section 68B.32A, the Iowa Ethics and Campaign Disclosure Board hereby amends Chapter 6, “Executive Branch Ethics,” Iowa Administrative Code.

Pursuant to Iowa Code section 68B.3, officials and employees are prohibited from selling goods or services to state agencies when the sale exceeds \$2,000 unless the sale was made after public notice and was competitively bid. 2010 Iowa Acts, Senate File 2067, sections 2 and 3, amends the statute to require an official or employee making such a sale to file a report with the Board disclosing the sale. The amendments reflect this new statutory requirement.

Notice of Intended Action was published in the Iowa Administrative Bulletin on June 2, 2010, as **ARC 8794B**. No oral or written comments on the amendments were received. These amendments are identical to those published under Notice.

The Board adopted these amendments on August 4, 2010.

These amendments are intended to implement Iowa Code section 68B.3 as amended by 2010 Iowa Acts, Senate File 2067, sections 2 and 3.

These amendments will become effective on September 29, 2010.

The following amendments are adopted.

ITEM 1. Amend rule 351—6.10(68B), introductory paragraph, as follows:

351—6.10(68B) Prohibition on sales; when public bids required—disclosure of income. Pursuant to Iowa Code section 68B.3 as amended by 2010 Iowa Acts, Senate File 2067, sections 2 and 3, an official or employee shall not sell, in any one occurrence, goods or services having a value in excess of \$2,000 to a state agency unless the sale is made pursuant to an award or contract let after public notice and competitive bidding and the official or employee making the sale files Form Public Bid with the board within 20 days of making the sale. This prohibition includes sales to the state agency in which the official or employee serves or is employed.

ITEM 2. Adopt the following **new** subrule 6.10(3):

6.10(3) Filing of report. An official or employee making a sale to a state agency pursuant to Iowa Code section 68B.3 as amended by 2010 Iowa Acts, Senate File 2067, sections 2 and 3, shall file Form Public Bid within 20 days of making the sale. The form shall be filed with the board at 510 East 12th Street, Suite 1A, Des Moines, Iowa 50319; by fax at (515)281-4073; or as an E-mail attachment. The failure to timely file Form Public Bid with the board within 20 days of making the sale may subject the official or employee to board sanctions under Iowa Code chapter 68B and rule 351—9.4(68B).

ITEM 3. Amend rule **351—6.10(68B)**, implementation sentence, as follows:

This rule is intended to implement Iowa Code section 68B.3 as amended by 2010 Iowa Acts, Senate File 2067, sections 2 and 3.

[Filed 8/6/10, effective 9/29/10]

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EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 8/25/10.